

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

031707/315410

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/597,995

INTERNATIONAL APPLICATION NO.

PCT/AU2005/000194

INTERNATIONAL FILING DATE

16 February 2005

PRIORITY DATE CLAIMED

16 February 2004

TITLE OF INVENTION

IMPROVEMENTS IN SWAGE PRESSES

APPLICANT(S) FOR DO/EO/US

Fred VAN ESSEN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). This submission must include items (5), (6), (9) and (21) indicated below.
 4. ☐ The US has been elected (Article 31).
 5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. To 20. below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
 14. ☐ An Application Data Sheet under 37 CFR 1.76
 15. ☐ A substitute specification.
 16. ☐ A power of attorney and/or change of address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
 18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☐ Other items or information:

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
10/597,995

INTERNATIONAL APPLICATION NO.
PCT/AU2005/000194

ATTORNEY'S DOCKET NUMBER
031707/315410

☒ The following fees have been submitted:

Calculations

PTO USE ONLY

21. ☐ Basic national fee (37 CFR 1.492(a))

\$0.00

22. ☐ Examination fee (37 CFR 1.492(c))

0.00

(If the written opinion prepared by ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)

\$ 0

All other situations..... \$200

23. ☐ Search fee (37 CFR 1.492(b))

0.00

If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)

\$ 0

Search fee (37 CFR 1.445(a)(2)) has been paid on the international application

to the USPTO as an International Searching Authority \$100

International Search Report prepared by an ISA other than the US and provided to the Office

or previously communicated to the US by the IB \$400

All other situations \$500

TOTAL OF 21, 22 and 23

=

0.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j))

The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.

Total Sheets

Extra
Sheets

Number of each additional 50 or fraction
thereof (round up to a whole number)

Rate

- 100 =

/50=

x \$250

\$

Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later the date of commencement of the national stage (37 CFR 1.492(h)).

\$ 130.00

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total Claims

7 -20 =

0

X \$ 50.00

\$ 0.00

Independent Claims

2 - 3 =

0

X \$200.00

\$ 0.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$360.00

\$

TOTAL OF ABOVE CALCULATIONS

=

\$ 0.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$

SUBTOTAL

=

\$ 130.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).

\$

TOTAL NATIONAL FEE

=

\$ 130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED

=

\$

Amount to be
Refunded

\$

Amount to be
Charged \$130.00

\$

a. ☐ A check in the amount of \$ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 16-0605 in the amount of \$130.00 to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-0605.

Note: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Donald M. Hill, Jr.

SIGNATURE

REGISTRATION NUMBER 40,646

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TRADEMARK OFFICE ON JULY 2, 2007.
LEGAL02/30434335v1



UNITED STATES PATENT AND TRADEMARK OFFICE

ALSTON & BIRD LLP
MAY 04 2007
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR RECEIVED BY: CP
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/597,995	FIRST NAMED APPLICANT Fred Van Essen	ATTY. DOCKET NO. 031707/315412 315410
INTERNATIONAL APPLICATION NO. PCT/AU05/00194		
I.A. FILING DATE 02/16/2005		PRIORITY DATE 02/16/2004

826
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CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 8930
371 FORMALITIES LETTER



OC000000023636420

Date Mailed: 05/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/15/2006
- Copy of the International Search Report filed on 08/15/2006
- Preliminary Amendments filed on 08/15/2006
- Information Disclosure Statements filed on 08/15/2006
- Request for Immediate Examination filed on 08/15/2006
- U.S. Basic National Fees filed on 08/15/2006
- Priority Documents filed on 08/15/2006

The applicant needs to satisfy supplemental fees problems indicated below.

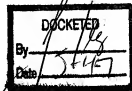
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://spportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/597,995	PCT/AU05/00194	031707/315412

FORM PCT/DO/EO/905 (371 Formalities Notice)